ENROLLED ORDINANCE 161-25

AMEND THE DISTRICT ZONING MAP OF THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE AND THE WAUKESHA COUNTY ZONING CODE, FOR THE TOWN OF VERNON BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE NW ¼ OF SECTION 1, T5N, R19E, TOWN OF VERNON, WAUKESHA COUNTY, WISCONSIN, FROM THE RRD-5 RURAL RESIDENTIAL DENSITY DISTRICT 5 AND C-1 CONSERVANCY DISTRICTS TO THE R-1 RESIDENTIAL AND C-1 CONSERVANCY DISTRICTS (SCZ-1614)

WHEREAS the subject matter of this Ordinance having been duly referred to and considered by the Waukesha County Park and Planning Commission, after Public Hearing, and the giving of requisite notice of said hearing, and a recommendation for approval thereon reported to the Land Use, Parks and Environmental Committee, and the Waukesha County Board of Supervisors, Waukesha County, Wisconsin, as required by Sections 59.69 and 59.692 of the Wisconsin State Statutes.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the Waukesha County Shoreland and Floodland Protection Ordinance adopted on June 23, 1970, and the Waukesha County Zoning Code adopted on February 26, 1959, for the Town of Vernon, Waukesha County, Wisconsin, are hereby amended to conditionally rezone certain lands located in part of the NW ¼ of Section 1, T5N, R19E, Town of Vernon, Waukesha County, Wisconsin, from the RRD-5 Rural Residential Density District 5 and C-1 Conservancy Districts to the R-1 Residential and C-1 Conservancy Districts, and more specifically described in the "Staff Report and Recommendation" and map on file in the office of the Waukesha County Department of Parks and Land Use, and made a part of this Ordinance by reference (SCZ-1614), subject to the following conditions:

1. Lots 1 through 8, as depicted on the map, Exhibit "A", must comply with the dimensional requirements of the R-1 Residential District.

2. The development must comply with the Waukesha County Stormwater Management and Erosion Control Ordinance.

3. All wetland, 100-yr. floodplain and Primary Environmental Corridor must be preserved from any disturbance.

4. Any lot identified by the Waukesha County Environmental Health Division as requiring a pre-planned septic site, must be identified on the Preliminary Plat.

5. Prior to the rezoning being in full force and effect, the applicant shall obtain approval of soil boring logs and data from the County Environmental Health Division and Town Engineer. Such borings and logs must demonstrate that the soil conditions on Lots 1-8 are suitable for residential development with approvable on-site sanitation systems. Said soil logs and data must also demonstrate that there are no basement elevation restrictions caused by hydric soil conditions, seasonal high ground water conditions, or any other condition deemed unacceptable by the County Environmental Health Division or Town. No assurance of sanitary systems or basement elevation approval is included herein.

6. All basements must clear seasonal high groundwater conditions by a minimum of one (1) foot. If necessary, as determined by the Town Engineer and the Waukesha County Planning and Zoning Division staff, a Master Grading Plan must be reviewed and approved by the Town of Vernon Engineer, the Waukesha County Planning and Zoning Division, Environmental Health Division and Land Resources Division, prior to Final Plat approval and prior to this rezoning becoming effective.

7. Prior to the rezoning being in full force and effect, the applicant shall obtain approval of Grading, Drainage, Erosion Control and Stormwater Management Plans for the plat, in accordance with the Waukesha County ordinances and regulations. No assurance of Grading, Drainage, Erosion Control and Stormwater management plan approval is included herein.

8. The rezoning shall not be in full force and effect until the Town of Vernon Planning Commission and County Department of Parks and Land Use-Planning and Zoning Division have approved and recorded the Final Plat of Ridgeview Estates, said final plat having no more than ten residential dwelling units (inclusive of the two existing dwellings on Lots 9 and 10 that are not subject to this rezoning action), in substantially the same form as the preliminary plat currently on file with the Town of Vernon and Waukesha County.

9. Any deviation in the development pattern deemed by the Town Plan Commission to be a substantial change from the conceptual drawings used to award Residential Development Permits, currently on file with the Town of Vernon, shall require a new rezoning approval including a new rezoning application and public hearing in accordance with Wisconsin Statutes 59.69.

10. The plat shall be deed restricted against any further division of any lot or outlot. Said Deed Restriction shall be in a form as approved by the Town Attorney. A note stating such shall be added to the face of the Final Plat.

11. Prior to the rezoning being in full force and effect, the existing roadway improvements in the Rolling Meadows Subdivision shall be dedicated to, and accepted by the Town of Vernon. No assurance of said dedication and acceptance is included herein.

12. Prior to the rezoning being in full force and effect, the applicant shall obtain SEWRPC concurrence with all environmental corridor boundaries and WDNR concurrence with all wetland boundaries, and the applicant shall provide written evidence of the same to the Town Planner and County Planning and Zoning Division.

13. Subject to the Developer satisfying all of the aforementioned conditions within one (1) year of granting this conditional approval.

BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Town Clerk of Vernon.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage, approval and publication.

BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.

AMEND THE DISTRICT ZONING MAP OF THE WAUKESHA COUNTY SHORELAND AND FLOODLAND PROTECTION ORDINANCE AND THE WAUKESHA COUNTY ZONING CODE, FOR THE TOWN OF VERNON BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE NW ¼ OF SECTION 1, T5N, R19E, TOWN OF VERNON, WAUKESHA COUNTY, WISCONSIN, FROM THE RRD-5 RURAL RESIDENTIAL DENSITY DISTRICT 5 AND C-1 CONSERVANCY DISTRICTS TO THE R-1 RESIDENTIAL AND C-1 CONSERVANCY DISTRICTS (SCZ-1614)

Presented by:
Land Use, Parks, and Environment Committee

William A. Mitchell, Chair

Absent
Keith Hammitt

Absent
Keith Harenda

Pauline T. Jaske

Walter L. Kolb

Vera Stroud

Peter M. Wolff

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 7/28/06, Kathy Nickolaus, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:
Approved: X
Vetoed:
Date: 8/1/06, Daniel P. Vrakas, County Executive

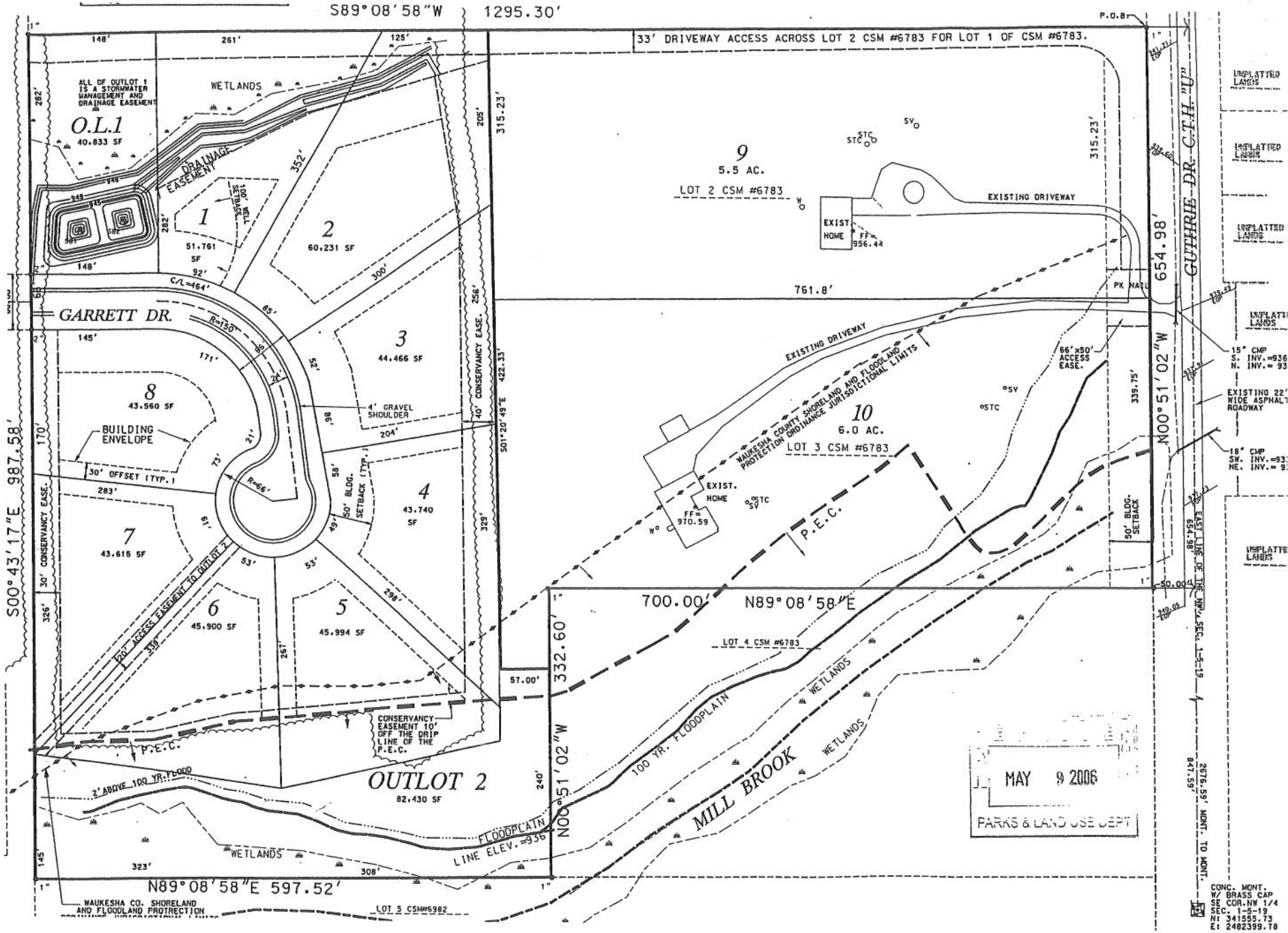


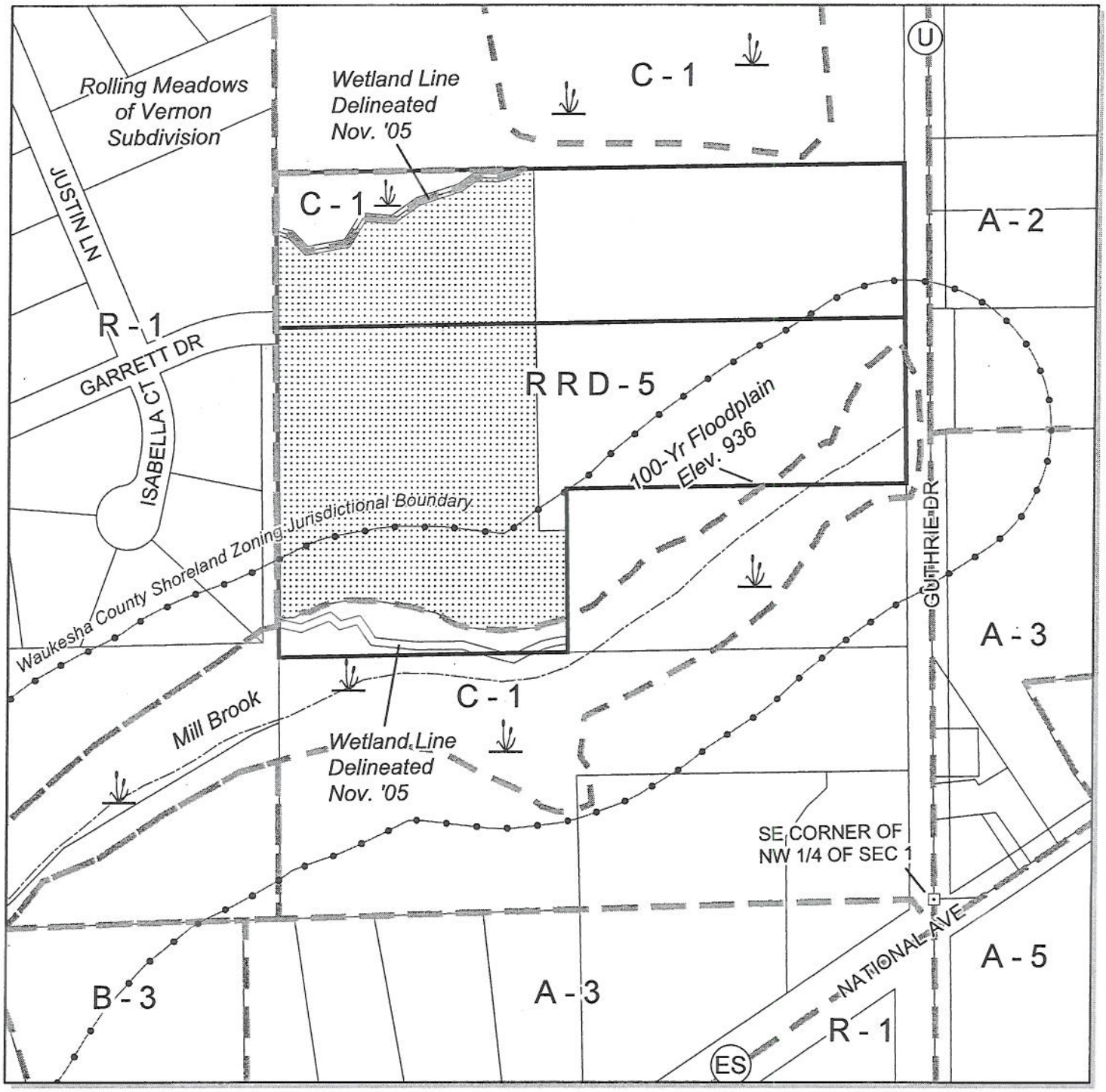
EXHIBIT "A"

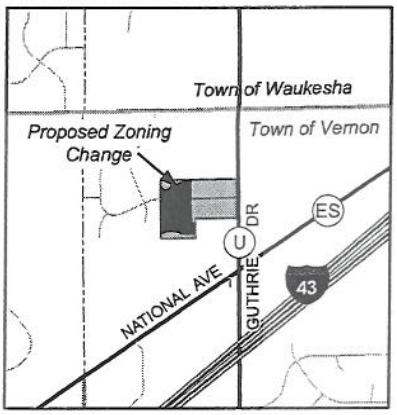
670-0-191

12.

ZONING MAP AMENDMENT

PART OF THE NW 1/4 OF SECTION 01
TOWN OF VERNON





CONDITIONAL SHORELAND AND COUNTY ZONING CHANGE
FROM RRD-5 RURAL RESIDENTIAL TO R-1 RESIDENTIAL

FILE.....SCZ-1614

DATE.....06-15-06

AREA OF CHANGE.....10.4 ACRES

TAX KEY NUMBER.....VNT 2018.999.004, &
VNT 2018.999.008

1 inch equals 300 feet

0 50 100 200 300 Feet

Prepared by the Waukesha County Department of Parks and Land Use

161-0-029

11.

WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-07/25/06

(ORD) NUMBER-1610029

1 K. HERRO.....AYE	2 R. THELEN.....AYE
3 T. ROLFS.....NAY	4 R. HUTTON.....AYE
5 J. MARCHESE.....AYE	6 D. BROESCH.....AYE
7 J. JESKEWITZ.....AYE	8 J. DWYER.....AYE
9 P. HAUKOHL.....AYE	10 S. WOLFF.....AYE
11 K. HARENDA.....AYE	12 T. SCHELLINGER....AYE
13 J. MORRIS.....	14 A. KALLIN.....
15 D. SWAN.....AYE	16 R. STEVENS.....AYE
17 J. BEHREND.....AYE	18 B. MORRIS.....AYE
19 W. MITCHELL.....AYE	20 P. WOLFF.....AYE
21 W. KOLB.....AYE	22 G. BRUCE.....
23 J. TORTOMASI.....AYE	24 B. KRAMER.....AYE
25 K. CUMMINGS.....AYE	26 F. RUF.....AYE
27 D. PAULSON.....AYE	28 P. JASKE.....AYE
29 T. BULLERMANN.....	30 K. NILSON.....AYE
31 V. STROUD.....AYE	32 P. GUNDRUM.....AYE
33 K. HAMMIT.....	34 R. SINGERT.....AYE
35 P. MEYER.....AYE	

TOTAL AYES-29

TOTAL NAYS-01

CARRIED X

DEFEATED_____

UNANIMOUS_____

TOTAL VOTES-30